

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ALLAN THOMAS ROCKWELL,

Plaintiff,

v.

MELISSA BROUHARD,

Defendants.

Case No. 1:22-cv-00392-JLT-EPG

ORDER DIRECTING PLAINTIFF TO FILE
REQUEST FOR ENTRY OF DEFAULT

On May 25, 2023, Plaintiff Allan Thomas Rockwell filed his Third Amended Complaint. (ECF No. 84). A response to an amended pleading “must be made within the time remaining to response to the original pleading or within 14 days after service of the amended pleading, whichever is later.” Fed. R. Civ. P. 15(a)(3). To date, Defendant Melissa Brouhard has failed to file a responsive pleading within the time period required by the federal rules. As Plaintiff has not yet filed a request for entry of default, *see* Fed. R. Civ. P. 55(a), the Court will direct Plaintiff to file a request for entry of default.

Accordingly, IT IS HEREBY ORDERED that:

1. Within **fourteen (14) days** from the date of service of this order, Plaintiff shall file a request for entry of default if he chooses to do so.

2. If Plaintiff fails to do so, the Court may recommend dismissal for failure to prosecute.

IT IS SO ORDERED.

Dated: July 12, 2023

/s/ Eric P. Grogan
UNITED STATES MAGISTRATE JUDGE